

REMARKS

This is in response to the Final Office Action of January 13, 2010. With this response claims 1, 14 and 15 are amended claims 12 and 13 are canceled and all pending claims 1-4, 7-9 and 14-18 are presented for reconsideration and favorable action.

In the Office Action, the claims were rejected based upon Gokcebay (US 6,826,935) in view of Lin (US 5,447,047). However, it is believed that the amended claims are patentably distinct from these references.

Applicant notes that the Gokcebay reference does not allow the remote transponder to unlock the door as set forth in the pending claims. In Gokcebay, the transmissions simply relate to updating a database. For this reason, the rejection should be withdrawn.

Further, the Gokcebay reference is simply for communicating with a centralized computer. In contrast, the claimed invention is for use with a portable transponder. This allows an operator to carry the portable remote transponder and use it as a sort of portable electronic key. There is no suggestion in Gokcebay which would lead one to this aspect of the claimed invention.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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